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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,106	10/10/2001	Sathya Kavacheri	SUN-P6092NP.US.NC	8778
32615	7590	11/19/2004	EXAMINER	
OSHA & MAY L.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010			AVELLINO, JOSEPH E	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/975,106

Applicant(s)

KAVACHERI ET AL.

Examiner

Joseph E. Avellino

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/7/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are presented for examination; claims 1 and 12 independent.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,4-6, 8, 10, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Lopke (USPN 6,553,310).

3. Referring to claim 1, Lopke discloses a method for using user location information to customize information in a Web portal (i.e. a web page tailored for the user) (e.g. abstract), the method comprising the steps of:

receiving user location information from a user (col. 6, line 65 to col. 7, line 2 and col. 7, lines 36-37);

receiving a request for application specific information (i.e. class of resources desired) from the user (col. 6, lines 58 to col. 7, line 2);

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selecting pertinent application specific information based on the user location information (col. 8, lines 4-10; Figure 2, 212);

transmitting the pertinent application specific information to the user (col. 8, lines 10-12; Figure 2, 214).

4. Referring to claim 4, Lopke discloses receiving the user location information from the user via a portable handheld device (it is disclosed that PDA 120 operates in a similar fashion to that of client terminal 102) (col. 6, line 58 to col. 7, line 2 and col. 7, line 36-37); and transmitting the pertinent application specific information to the portable handheld device of the user (col. 8, lines 10-12; Figure 2, 214).

5. Referring to claims 5, 6, and 10, Lopke discloses the user location information is a current address of the user, a geographical coordinate of the user, and zip code information entered by the user (col. 6, line 58 to col. 7, line 2).

6. Referring to claim 8, Lopke discloses the application specific information of the user is hotel information, and wherein the pertinent application specific information is information regarding the location of hotels with respect to the user location (Figure 5; col. 8, line 64 to col. 9, line 46).

7. Referring to claim 11, Lopke discloses the user location information is associated with a location name, and wherein the user selects a particular location by selecting a

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particular location name from a menu of location names presented by a portable handheld device (col. 5, lines 17-32).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2, 3, 12-15, 17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of Lipkin (USPN 6,721,747).

10. Referring to claims 2 and 3, Lopke discloses the invention substantively as described in claim 1. Lopke does not specifically disclose that the information is

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transmitted in accordance with the WAP and WML communication standards, merely using a PDA with a cellular service or a CDPD link (col. 8, lines 30-45). In analogous art, Lipkin discloses another method for customizing information in a Web portal wherein the information is transmitted in accordance with the WAP and WML communication standards (col. 136, lines 19-23). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Lipkin with Lopke since Lopke discloses there are alternative methods of utilizing a search engine to find resources (col. 7, lines 28-34), and this would lead one of ordinary skill in the art to find other methods to search a database, resulting in the invention disclosed in Lipkin, which searches for and discovers information, such as web resources, in a more flexible and sophisticated manner as supported in Lipkin (col. 2, lines 9-15).

11. Claims 12-15, 17, 19, and 20 are rejected for similar reasons as stated above.

Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of Baur et al. (US 2002/0030698) (hereinafter Baur).

12. Referring to claim 7, Lopke discloses the invention substantially as described in claim 1. Lopke does not specifically disclose the application specific information of the user is calendar information for the user, and wherein the pertinent application specific information is information regarding the location of calendar events with respect to the

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user location. In analogous art, Baur discloses another method of customizing a web portal based on user location wherein the application specific information of the user is calendar information for the user, and wherein the pertinent application specific information is information regarding the location of calendar events with respect to the user location (p. 2, ¶ 26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke in order to notify users of weather-related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

13. Referring to claim 9, Lopke discloses the invention substantively as described in claim 1. Lopke does not specifically disclose the application specific information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location. In analogous art, Baur discloses another method of customizing a web portal based on user location wherein the application specific information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location (p. 2, ¶ 21, 24-26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke in order to notify users of weather-related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lopke in view of Lipkin as applied to claim 12 above (hereinafter Lopke-Lipkin) and further in view of Baur.

14. Referring to claim 16, Lopke-Lipkin discloses the invention substantially as described in claim 1. Lopke-Lipkin does not specifically disclose the application specific information of the user is calendar information for the user, and wherein the pertinent application specific information is information regarding the location of calendar events with respect to the user location. In analogous art, Baur discloses another method of customizing a web portal based on user location wherein the application specific information of the user is calendar information for the user, and wherein the pertinent application specific information is information regarding the location of calendar events with respect to the user location (p. 2, ¶ 26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke-Lipkin in order to notify users of weather-related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

15. Referring to claim 18, Lopke-Lipkin discloses the invention substantively as described in claim 1. Lopke-Lipkin does not specifically disclose the application specific information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location. In analogous art, Baur discloses

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another method of customizing a web portal based on user location wherein the application specific information of the user is appointment information for the user, and wherein the pertinent application specific information is information regarding the location of appointments with respect to the user location (p. 2, ¶ 21, 24-26). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Baur with Lopke-Lipkin in order to notify users of weather-related events which could potentially affect the route to the destination as supported by Baur (p. 1, ¶ 11).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Himmel et al. (USPN 6,256,639) discloses providing Internet travel services via a bookmark set.

18. Debaty et al. (US 2003/0050964) discloses context manager proxy.

19. Blumberg et al. (USPN 6,385,541) discloses GSP based real estate database access device and method.

20. Eshelman et al. (USPN 6,774,795) discloses electronic assistant incorporated in personal objects.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEA
November 8, 2004

William C. Vaughn
Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.